

**United States District Court**  
**FOR THE EASTERN DISTRICT OF TEXAS**  
**SHERMAN DIVISION**

**MICHAEL MOATES,**

**Plaintiff,**

**v.**

**FACEBOOK INC.,**

**Defendant.**

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**Civil Action No. 4:20-cv-896-ALM-KPJ**

**ORDER OF DISMISSAL**

On August 4, 2021, Plaintiff Michael Moates (“Plaintiff”) filed a Notice of Dismissal (Dkt. #50), wherein Plaintiff notifies the Court that he dismisses this action against Defendant Facebook Inc., without prejudice.

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways: (1) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” FED. R. CIV. P. 41(a)(1); or (2) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(ii) by filing “a stipulation of dismissal signed by all parties who have appeared.” *Id.* As such, formal court action is not necessary in this case. However, the Court finds that in the interest of efficiency, justice, and maintaining the clarity of the record, an entry of order of dismissal is appropriate.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, be **DISMISSED WITHOUT PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

**IT IS SO ORDERED.**

**SIGNED this 12th day of August, 2021.**

A handwritten signature in black ink, reading "Amos Mazzant", written over a horizontal line.

AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE